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MITIGATED NEGATIVE DECLARATION

March 25, 2010

Project Name: Village Walk Townhomes (14-Unit)

Project Numbers: 3100-5535 (TM), 3500-07-021 (STP), 3910-07-09-005 (ER)

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for:

Transportation
Biological Resources
Fire Protection
Drainage
Stormwater Management

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project

applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures: Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION:

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.219. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [DPW, Land Development Counter] and provide a copy of the receipt to the [DPLU, Building Division Technician] at time of permit issuance.

B. BIOLOGICAL RESOURCES:

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A FINAL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

OFFSITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM]
Intent: In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to CEQA, as demonstrated in the County of San Diego Guidelines for Determining Significance for Biological Resources, offsite mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 0.55-acre of native or non-native grassland, located in the Community of Ramona or closest available location as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
 1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Community of Ramona or closest available location as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
 3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
 4. The final RMP can not be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
 5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

Documentation: The applicant shall purchase the offsite mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval.

Timing: Prior to the approval of the map for Units 1 through 14 and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed.

Monitoring: The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

C. NOISE

OCCUPANCY: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

NOISE CONTROL ELEMENTS: [DPLU, BPPR] [DPLU, PCC [BP] [DPLU FEE X1]

Intent: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the [County of San Diego Noise Ordinance 36.404](#) as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), the following design measures shall be verified that they are constructed.

Description of requirement: The following noise control design measure shall be constructed pursuant to the approved building plans: Comfortmaker N2H342AKA Air Conditioning Units or equivalent sized units with a single unit sound power level of 76 dBA has been installed on each detached residential unit set back at a minimum of 20 feet from the project site boundary line pursuant to the approved building plans and Site Plan S07-021. **Timing:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the air conditioning units shall be installed 20 feet from the project boundary line. **Monitoring:** The [DPLU, BI] shall verify that the noise control measures above have been constructed pursuant to the approved building plans and this permit's conditions.

D. BIOLOGICAL RESOURCES

The following Grading and or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan note language.

PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

“RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2]. Intent and Description of Requirement: In order to avoid impacts to migratory birds, which is a sensitive biological resource pursuant to the Migratory Bird Treaty Act, a Resource Avoidance Area (RAA), there shall be no brushing, clearing and/or grading such that none will be allowed on the project site during the breeding season of migratory birds. The breeding season is defined as occurring between February 15th and August 31st. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no active nests are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur on the site until concurrence is received from the County and the Wildlife Agencies. **Timing:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **Monitoring:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter.”

3. Critical Project Design Elements That Must Become Conditions of Approval:

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A FINAL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

TM ROAD IMPROVEMENTS:

A. **PUBLIC ROAD IMPROVEMENTS: [DPW, LDR], [DPR, TC] [MA] Intent:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.403](#) and the Community Trails Master Plan fronting public roads shall be improved. **Description of requirement:** Improve or agree to improve and provide security for:

1. The project side of Robertson Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road,

to a one-half graded width of thirty feet (30') from centerline and to a one-half improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base and Portland cement concrete curb, gutter, sidewalk and street lights with face of curb at twenty feet (20') from centerline, and a forty-foot (40') radius corner rounding at the intersection with Pala Street, to the satisfaction of the Department of Public Works. Robertson Street shall also be improved with an additional eight feet (8') of asphalt concrete pavement on the opposite side of the centerline, for a total width of twenty-eight feet (28') of asphalt concrete pavement along the project frontage.

2. The project side of Pala Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road, to a one-half graded width of thirty feet (30') from centerline and to a one-half improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base and Portland cement concrete curb, gutter, sidewalk and street lights with face of curb at twenty feet (20') from centerline, and a forty-foot (40') radius corner rounding at the intersection with La Brea Street, to the satisfaction of the Department of Public Works. Pala Street shall also be improved with an additional eight feet (8') of asphalt concrete pavement on the opposite side of the centerline, for a total width of twenty-eight feet (28') of asphalt concrete pavement along the project frontage.
3. The project side of La Brea Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road, to a one-half graded width of thirty feet (30') from centerline and to a one-half improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base and Portland cement concrete curb, gutter, sidewalk and street lights with face of curb at twenty feet (20') from centerline, to the satisfaction of the Department of Public Works
4. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing, to the satisfaction of the Department of Public Works.
5. Where height of downsloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of downsloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed, as deemed necessary by the County Engineer, per CALTRANS standards to the satisfaction of the Director of Public Works.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the DPW [Land Development Improvement Plan Checking Manual](#) and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

Documentation: The applicant shall complete the following:

1. Process and obtain approval of Improvement Plans to improve Robertson Street, Pala Street, and La Brea Street.
2. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.405 through 81.406.1.](#)
3. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
4. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
5. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Ramona Fire Department/CDF and the [DPW, LDR].

Timing: Prior to the approval of the Final Map, the plans, agreements, and securities shall be approved. **Monitoring:** The [DPW, LDR] and [DPR, TC, PP] shall review the plans for consistency with the conditions and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

- B. SIGHT DISTANCE: [DPW, LDR] [MA] Intent:** In order to comply with the Design Standards of Section 6.1(E) of the [County of San Diego Public Road Standards](#), an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **Description of requirement:** Have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a certified signed statement that: "Physically, there is minimum unobstructed sight distance per Section 6.1(E) of the County of San Diego Public Road Standards for the

intersections of Robertson Street and Pala Street, La Brea Street and Pala Street and the private driveway and Robertson and La Brea Streets in both directions.” If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

Documentation: The applicant shall complete the certifications and submit them to the [DPW, LDR] for review. **Timing:** Prior to the approval of the Final Map the sight distance shall be verified. **Monitoring:** The [DPW, LDR] shall verify the sight distance certifications.

- C. PAVEMENT CUT POLICY: [DPW, LDR] [GP, IP,MA] Intent:** In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **Description of requirement:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **Documentation:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy to the satisfaction of the Department of Public Works (DPW), and submit it to the [DPW LDR] for review. **Timing:** Prior to the approval improvement plans and the approval of the Final Map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

TM DRAINAGE IMPROVEMENTS:

- D. DRAINAGE MAINTENANCE AGREEMENTS: [DPW, LDR], [MA] Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.9926, County Code Section 67.801 et. seq., maintenance agreements shall be completed. **Description of requirement:** The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Public Works. **Documentation:** The applicant shall complete a maintenance agreement and pay the deposit and applicable review fees. **Timing:** Prior to the approval of the map, the agreements, and/or securities shall be approved. **Monitoring:** The [DPW,LDR] shall review the agreements/mechanisms for consistency with the conditions and County Standards.

TM STREETS AND DEDICATIONS:

- E. ROAD DEDICATION (ON&OFFSITE): [DPW, LDR] [DGS, RP] [MA] Intent:** In order to improve the quality of the roads, promote orderly development, and to comply with the Subdivision Ordinance Sec. 81.403, road right of way shall be dedicated to the County.

Description of requirements:

1. Dedicate/cause to be granted to the County of San Diego the project half of **Robertson Street** along the project frontage in accordance with County of San Diego Public Road Standards and the Community Trails Master Plan for a Residential Collector Road to a width of thirty feet (30') from centerline, together with right to construct and maintain slopes and drainage facilities, including a thirty-foot (30') radius property line corner rounding at the intersection with Pala Street to the satisfaction of the Director of Public Works.
2. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway to the County of San Diego, right-of-way required to complete a thirty-six foot (36') wide, one-half width on the project side of the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-six foot (36') limit for that portion within the land division for **Robertson Street**, including a thirty-foot (30') radius property line corner rounding at the intersection with Pala Street to the satisfaction of the Director of Public Works.
3. Dedicate/cause to be granted to the County of San Diego the project half of **Pala Street** along the project frontage in accordance with County of San Diego Public Road Standards and the Community Trails Master Plan for a Residential Collector Road to a width of thirty feet (30') from centerline, together with right to construct and maintain slopes and drainage facilities, including a thirty-foot (30') radius property line corner rounding at street intersections to the satisfaction of the Director of Public Works.
4. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway to the County of San Diego, right-of-way required to complete a thirty-six foot (36') wide, one-half width on the project side of the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-six foot (36') limit for that portion within the land division for **Pala Street**, including a thirty-foot

(30') radius property line corner rounding at street intersections to the satisfaction of the Director of Public Works.

5. Dedicate/cause to be granted to the County of San Diego the project half of **La Brea** Street along the project frontage in accordance with County of San Diego Public Road Standards and the Community Trails Master Plan for a Residential Collector Road to a width of thirty feet (30') from centerline, together with right to construct and maintain slopes and drainage facilities, including a thirty-foot (30') radius property line corner rounding at the intersection with Pala Street to the satisfaction of the Director of Public Works.
6. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway to the County of San Diego, right-of-way required to complete a thirty-six foot (36') wide, one-half width on the project side of the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-six foot (36') limit for that portion within the land division for **La Brea** Street, including a thirty-foot (30') radius property line corner rounding at the intersection with Pala Street to the satisfaction of the Director of Public Works.
7. All grants and offers of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, per Section 81.705 (a) of the County Code. Affected utility company/districts shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works.

Documentation: The applicant shall dedicate/offer the project side of the easements on the Map and show dedications as accepted. Upon recordation of the easements, the applicant shall provide copies of the easement documents to the [DPW, LDR] for review. **Timing:** Prior to the approval of the Final Map the onsite dedication and the offsite granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **Monitoring:** The [DPW, LDR] shall verify that the dedication and offers of dedication are indicated on the Final Map and dedications accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [DPW, LDR] for review and approval.

- F. **RELINQUISH ACCESS:** [DPW, LDR] [DGS, RP] [MA] **Intent:** In order to promote orderly development and to comply with the Public Facilities Element and the Circulation element of the General Plan, access shall be relinquished

along Pala Street, La Brea Street, and Robertson Street. **Description of requirement:** Relinquish access rights onto Pala Street, La Brea Street, and Robertson Street along the project frontage, except for the access driveway openings on La Brea and Robertson Streets. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. **Documentation:** The applicant shall prepare the legal descriptions and documents and present them for review and to [DGS, RP]. Upon execution of the relinquishment documents, the applicant shall provide copies of the documents to [DPW, LDR] for review. **Timing:** Prior to the approval of the Final Map the access shall be relinquished. **Monitoring:** The [DGS, RP] shall prepare and execute the relinquishment documents and forward a copy of the recorded documents to [DPW, LDR] for review and approval.

- G. AVIGATIONAL EASEMENT: [DPW, LDR] [DGS, RP] [MA]** **Intent:** In order to comply with the Subdivision Ordinance an avigational or overflight easement shall be granted. **Description of requirement:** Grant to the County of San Diego by separate document, an avigation and/or overflight easement over entire property. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. **Documentation:** The applicant shall prepare the legal descriptions of the easement, submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon recordation of the easements, the applicant shall provide copies of the easement documents to [DPW, LDR] for approval. **Timing:** Prior to the approval of the Final Map, the easement shall be executed. **Monitoring:** The [DGS, RP] shall prepare and execute the easement documents and forward a copy of the recorded documents to [DPW, LDR] for review and approval.

STORMWATER:

- H. EROSION CONTROL: [DPW, LDR] [DPW, PDCI] [MA, IP, GP].** **Intent:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 9926](#) and all other applicable ordinances and standards for this priority project. **Description of Requirement:** The applicant shall maintain the appropriate onsite and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measures.

1. An agreement and instrument of credit shall be provided pursuant to [Subdivision Ordinance 81.406](#), for an amount equal to the cost of this work as determined or approved by the [DPW, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304\(e\)](#). The cash deposit collected for grading, per the Grading Ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. **Documentation:** The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [DPW, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **Timing:** Prior to approval of the Final Map, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **Monitoring:** The [DPW, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of this conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

DEVELOPMENT IMPACT FEES:

- I. **PLANNED DRAINAGE FACILITY FEE: [DPW, LDR] [MA]. Intent:** In order to provide adequate flood protection for future occupants of the residential development, it is necessary to construct the planned drainage facilities to remove surface and stormwater from local or neighborhood drainage areas, to protect and benefit all property in the area, a fair-share fee shall be collected pursuant to the [Drainage Fee Ordinance No. 5856 \(N.S.\) of the County Regulator Cod Sections 810.201 to 810.215](#). **Description of Requirement:** Participate in the construction of Planned Drainage Facilities for Zone 1, Planned Local Drainage Area (PLDA) 43E by paying a drainage fee of \$1,995. The fee is to assist in financing the construction of the Planned Local Drainage (PLD) facilities for Zone 1 and Local Drainage Area 43E. The fees established are based on estimated costs of the Planned Drainage Facilities, which are apportioned within the drainage area on the basis of benefit conferred on the property. The fee will be used to contribute toward the construction of drainage

facilities such as: reinforced concrete pipe culverts, corrugated metal pipe culverts, concrete-lined trapezoidal channels, rock-lined channels, reinforced box culverts, concrete dip sections, energy dissipaters, rip rap slope protection, etc., planned for Zone, Local Drainage Area 43E, specified in the Drainage Fee Ordinance No 5856. **Documentation:** The applicant shall pay the fee as indicated above. **Timing:** Prior to the approval of the Final Map, the PLDA Fee shall be paid. **Monitoring:** The [DPW, ZONING] shall collect the fee amount pursuant to this condition and provide a receipt for the applicant.

PLANNING:

- J. COST RECOVERY: [DPLU, DPW, DEH, DPR], [MA, GP, IP]** **Intent:** In order to comply with [Section 362 of Article XX of the San Diego County Administrative Code](#), Schedule B.5 existing deficit accounts associated with processing this permit shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **Documentation:** The applicant shall provide a receipt to the Department of Planning and Land Use, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. **Timing:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **Monitoring:** The DPLU Zoning Counter shall review the receipts and verify that all DPLU, DPW, DEH, and DPR deposit accounts have been paid.
- K. GRADING PLAN CONFORMANCE: [DPW, ESU] [DPR, TC PP] [GP, IP, MA]** **Intent:** In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **Description of requirement:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: biological resource avoidance. **Documentation:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **Timing:** Prior to the approval of the map for Tentative Map 5535 and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **Monitoring:** The [DPW, ESU, or DPLU, BD for DPLU Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

- L. DISCRETIONARY APPROVALS: [DPLU, PCC] [MA] [DPLU, FEE] Intent:** In order to ensure that the proposed subdivision complies with the required Zoning for the Parcel the following additional discretionary approvals shall be obtained.
Description of Requirement:

1. Obtain approval of Site Plan 07-021 from the Planning Commission, or the Board of Supervisors.

Documentation: The applicant shall apply for and receive approval of the required discretionary approvals referenced above. Upon approval, provide a copy of the approval to the [DPLU, PCC] for review and approval of this condition. **Timing:** Prior to the approval of the Tentative Map 5535, the applicant shall comply with this condition. **Monitoring:** The [DPLU, PCC] shall review the discretionary approval for compliance with this condition.

PUBLIC SEWER:

- M. SEWER CONNECTION: [DEH, LWQ] [GP, BP, MA] Intent:** In order to promote orderly development the parcel shall be connected to public sewer.
Description of Requirement: The parcel shall be connected to public sewer in the Ramona Municipal Water District. **Documentation:** Prior to connecting to the public sewer, the applicant shall obtain a sewer commitment letter from the Ramona Municipal Water District. Upon approval of connection, the applicant shall pay the costs of connection and fees associated with connecting to public sewer. **Timing:** Prior to approval and recordation of the map, the parcel shall be connected to sewer. **Monitoring:** Upon request of the applicant, [DEH, LWQ] shall verify that the parcels have been connected to public sewer.

PUBLIC WATER:

- N. WATER CONNECTION: [DEH, LWQ] [GP, BP, MA] Intent:** In order to promote orderly development the parcel shall be connected to public water.
Description of Requirement: The parcel shall be connected to public water in the Ramona Municipal Water District. **Documentation:** Prior to connecting to the public water, the applicant shall obtain a water commitment letter from the Ramona Municipal Water District. Upon approval of connection, the applicant shall pay the costs of connection and fees associated with connecting to public water. **Timing:** Prior to approval and recordation of the map, the parcel shall be connected to water. **Monitoring:** Upon request of the applicant, [DEH, LWQ] shall verify that the parcels have been connected to public water.

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

PLANNING:

- O. COST RECOVERY: [DPLU, DPW, DEH, DPR], [GP, CP, BP, UO] Intent:** In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5 existing deficit accounts associated with processing this permit shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **Documentation:** The applicant shall provide a receipt to the Department of Planning and Land Use, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. **Timing:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and discretionary deposit accounts shall be paid. **Monitoring:** The DPLU Zoning Counter shall review the receipts and verify that all DPLU, DPW, DEH, and DPR deposit accounts have been paid.

LANDSCAPING:

- P. LANDSCAPE PLANS: [DPLU, REG] [GP, CP, BP, UO] [DPR, TC, PP] Intent:** In order to provide adequate Landscaping that addresses screening, aesthetics, and streetscape treatments, and to comply with the 'B' designator ordinance requirements and the Ramona Design Guidelines, a landscape plan shall be prepared. **Description of requirement:** The Landscape Plans shall be prepared pursuant to the [Landscape Water Conservation Design Manual](#) and the [Landscape Plan Review Procedure Ordinance 8924](#). All Plans shall be prepared by a California licensed Landscape Architect, and include the following information:
1. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from [DPW, Land Development] approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
 2. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can

thrive on natural moisture. These plants shall be irrigated only to establish the plantings.

3. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system.
4. The watering system configuration shall indicate how water flow will not impact the viability of the use of a trail or pathway by causing water to flow across the trail or pathway.
5. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
6. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans.
7. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
8. Additionally, the following items shall be addressed as part of the Landscape Plan: A copy of an approved encroachment permit issued through the Department of Public Works allowing tree planting within the public right-of-way's for Robertson St., Pala St., and La Brea St. shall be submitted to acknowledge permission to plant the specific tree species and container sizes called out on the approved conceptual landscape plans (revised December 27, 2007).
9. Irrigation runoff and overspray shall not occur in the small planting beds adjacent to the street edge or planting adjacent to the public sidewalks. The Department suggests utilizing low volume irrigation or subsurface irrigation in these areas to prevent runoff, overspray, and erosion.
10. Provide written evidence that the Ramona Fire District has approved the spacing and grouping of all proposed vegetation and there is no significant threat of fire spreading from vegetation to structures or posing interference with fire equipment. Trees shown on the landscape plan shall not encroach on the 24-foot access roadway width.

Documentation: The applicant shall prepare the Landscape Plans using the [Applicant's Guide to Landscape Plan Submittal, DPLU Form #257](#), and pay all applicable review fees. **Timing:** Prior to approval of any plan, issuance of any

permit, and prior to use of the premises in reliance of this permit, the Landscape Plans shall be prepared and approved. **Monitoring:** The [DPLU, Landscape Architect] and [DPR, TC, PP] shall review the Landscape Plans for compliance with this condition.

GRADING PERMIT: (Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits).

PLANNING:

- Q. PLAN CONFORMANCE:** [DPW, ESU] [GP, IP,] [DPR, TC, PP] **Intent:** In order to implement the required mitigation measures for the project, the required grading plans shall conform to the approved Conceptual Grading and Development Plan pursuant to [Section 87.207 of the County Grading Ordinance](#). **Description of requirement:** The grading plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: biological resource avoidance. All conditions, requirements, mitigation measure and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made with out modification of this permit. **Documentation:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **Timing:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **Monitoring:** The [DPW, Environmental Services Unit Division, DPR, TC, or DPLU, Building Division for Minor Grading] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

OCCUPANCY: (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

PLANNING:

- R. SITE PLAN IMPLEMENTATION:** [DPLU, BI] [UO] [DPR, TC, PP]. The site shall conform to the approved plot plan and building plans. **Description of Requirement:** The site shall conform to the approved Site Plan 07-021 plot plan and the building plans. This includes but is not limited to: improving all parking areas trails, parks and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened,

required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. **Documentation:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **Timing:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **Monitoring:** The [DPLU, Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans.

ONGOING: *(Upon establishment of use The following conditions shall apply during the term of this permit).*

S. SITE CONFORMANCE: [DPLU, PCO] [OG] [DPR, TC, PP]. **Intent:** In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **Description of Requirement:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: all parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. Failure to conform to the approved plot plans; is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703.

1. All future accessory structures will only be permitted pursuant to County Zoning Ordinance Section 4835.

Documentation: The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **Timing:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **Monitoring:** The [DPLU, Code Enforcement Division] is responsible for enforcement of this permit.

LANDSCAPING:

T. LANDSCAPING ACCEPTANCE: [DPLU, BPR] [UO] [DPLU, FEE] **Intent:** In order to provide adequate Landscaping that addresses screening, aesthetics, and streetscape treatments, and to comply with the 'B' designator ordinance requirements and the Ramona Design Guidelines, all landscaping shall be installed. **Description of requirement:** All of the landscaping shall be installed pursuant to the approved Landscape Planting and Irrigation Plans. This does

not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [DPLU, PCC] [DPR, TC, PP]. **Documentation:** The applicant shall submit to the [DPLU, PCC], a statement from the project California licensed Landscape Architect that all landscaping has been installed as shown on the approved Landscape Planting and Irrigation Plans. See the following link that demonstrates an example letter that can be used: <http://www.sdcountry.ca.gov/dplu/docs/LandinspectForm.pdf>. **Timing:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit), the landscaping shall be installed. **Monitoring:** The [DPLU, Landscape Architect] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [DPLU, PCC] [DPR, TC, PP] of compliance with the approved Landscape Plans.

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

2A, 2B, 2C, 2D

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

Richard Grunow, Planning Manager
Project Planning Division

RG:vw